

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**February 26, 2007**

DIVISION ONE

[illegible]

The judgment is affirmed.

Rothschild, J.

We concur:   Mallano, Acting P.J.  
                    Jackson, J. (Assigned)

B191033 Smythe, et al. (Not for Publication)  
v.  
White, Jr., et al.

The judgment is reversed, and the cause is remanded to the trial court with directions to accept a first amended complaint for filing, to instruct White, Daar, and Daar & Newman to answer, and to place the case on track for trial. The parties are to pay their own costs of appeal.

Vogel (Miriam A.), J.

We concur:   Mallano, Acting P.J.  
                      Rothschild, J.

DIVISION ONE (Continued)

B186717      Shidan Taslimi                      (Not for Publication)

v.

Khat Holdings, LLC et al.

The judgment is affirmed. Khat is awarded its costs of appeal, including attorney's fees, and the cause is remanded to the trial court with directions to determine the amount of fees and costs due to Khat for the appeal.

Vogel (Miriam A.), Acting P.J.

We concur:    Rothschild, J.  
                     Jackson, J. (Assigned)

B186405      Robby Robinson                      (Not for Publication)

v.

Weider Publications, Inc., et al.

The judgment of dismissal and the judgment awarding fees are affirmed. Weider Publications, Inc., Weider Health and Fitness, Inc. and Joe Weider are awarded their costs of appeal, including reasonable attorney's fees, and the cause is remanded to the trial court with directions to determine the amount thereof.

Vogel (Miriam A.), Acting P.J.

We concur:    Rothschild, J.  
                     Jackson, J. (Assigned)

B189259      Robert T. Graham et al.

v.

DaimlerChrysler Corporation etc., et al.

Filed order denying petition for rehearing.

DIVISION THREE

B187804      Dyer      (Certified for Publication)  
v.  
Childress, et al.

The order denying defendants' special motion to strike is affirmed. Dyer is awarded costs on appeal.

Klein, P.J.

We concur:   Kitching, J.  
                      Aldrich, J.

B190638 People (Not for Publication)  
v.  
Jose Luis Valdovinos

The trial court is directed to modify the abstract of judgment to impose a total of nine \$20 fees (for a total of \$180) on defendant, pursuant to section 1465.8. In all other respects, the judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.  
Croskey, J.

B180922      People  
v.  
Bob Bejarano

Filed order vacating submission order of November 27, 2006. Due to the press of other court business and the complexity of the issue, additional time is needed to complete and file the opinion in this matter. . Cause resubmitted.

DIVISION FOUR

B187094 People (Not for Publication)  
v.  
Davis

The judgment is affirmed.

Manella, J.

We concur: Willhite, Acting P.J.  
Suzukawa, J.

[illegible]

The conviction on count two is reversed. The court is directed to correct the abstract of judgment to reflect that appellant was sentenced to life with the possibility of parole on count one and that sentence was stayed on count four, and to forward a copy of the corrected abstract of judgment to the Department of Corrections. In all other respects, the judgment is affirmed.

Epstein, P.J.

We concur: Manella, J.  
Suzukawa, J.

B188671 People (Not for Publication)  
v.  
Smith

The judgment is affirmed.

Manella, J.

We concur: Epstein, P.J.  
Willhite, J.

DIVISION FOUR (Continued)

B190671      AIMCO Venezia, LLC      (Not for Publication)

v.

State Historical Resources Commission, et al.

Amanda M. Seward

The order approving the settlement agreement is affirmed. Respondents are to recover their costs on appeal.

Epstein, P.J.

We concur: Willhite, J.

Suzukawa, J.

B153896      Cuizon      (Not for Publication)

v.

Pacific Hospital of the Valley

The summary judgment is affirmed. The Hospital is awarded its costs.

Suzukawa, J.

We concur: Epstein, P.J.

Willhite, J.

DIVISION FIVE

B189852      Ronald S. Orr                      (Not for Publication)

v.

HSBC Bank USA

The order denying the disqualification motion is affirmed. Defendant, HSBC Bank USA, is to recover its costs incurred on appeal from plaintiffs, Ronald S. Orr, Kimberly Jones, and Daniel J. Sherman as chapter 7 trustee of Ebenezer Ekuban's bankruptcy estate.

Turner, P.J.

I concur:      Armstrong, J.

I dissent:      Mosk, J. (Opinion)

DIVISION SIX

B192426      Friedman                      (Not for Publication)

v.

Friedman

The motion to dismiss and motion for sanctions are denied. The order terminating appointment of special master Kathleen Duvall is affirmed. Costs on appeal to respondent.

Yegan, J.

We concur:      Gilbert, P.J.

Coffee, J.

## DIVISION SIX (Continued)

B189525      People      (Certified for Publication)

V.

## Robles

The judgment (order revoking probation and imposing state prison sentence) is affirmed.

Yegan, J.

We concur:    Gilbert, P.J.

Coffee, J.

B191941 Scherer, et al., (Not for Publication)

V.

State of Calif., Dept. of Transportation

The judgment (order granting summary judgment motion) is affirmed. Caltrans is awarded costs on appeal.

Yegan, J.

We concur:   Gilbert, P.J.

Perren, J.

B188639 People (Not for Publication)

V.

Perez

The judgment is affirmed.

Yegan, J.

We concur:    Gilbert, P.J.

Perren, J.

February 26, 2007 (Continued)

DIVISION SEVEN

B186368 Walser (Not for Publication)  
v.  
Stern

The judgment is affirmed. Walser is to recover his costs on appeal.

Perluss, P.J.

We concur:   Johnson, J.  
                      Woods, J.

B185029 People v. Miller (Not for Publication)

B191886      In re Miller on Habeas Corpus

The judgment is affirmed. The petition for writ of habeas corpus is denied.

Perluss, P.J.

We concur: Woods, J.  
Zelon, J.